

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BRADLEY CUSATIS, JR., Personal
Representative of the Estate of BRADLEY
G. CUSATIS, SR.,

CASE NO: _____

Plaintiff,

v.

PETITION OF REMOVAL

LEO TRUCKING, INC. and AJAIB S.
NANREH,

Defendants.

COME NOW the defendants and hereby remove the action styled as IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA, BRADLEY CUSATIS, JR., Personal Representative of the Estate of BRADLEY G. CUSATIS, SR., Plaintiff, v. LEO TRUCKING, INC. and AJAIB S. NANREH, Defendants, CASE NO: CI-11-4798, to the United States District Court for the District of Nebraska. In support of this removal, defendants have attached to this pleading the Complaint and Demand for Jury Trial served upon them, as well as the summons issued for each defendant. Defendants further show to the Court as follows:

1. Removal is proper in that plaintiff is a resident of the State of Nebraska while each defendant is a resident of Brampton, Ontario, Canada; therefore, diversity exists.

2. This is a negligence-based action seeking recovery for the claimed wrongful death of Bradley G. Cusatis, Sr. Plaintiff seeks recovery for Bradley G. Cusatis, Sr.'s medical, funeral, and burial costs; plaintiff also seeks a recovery for the next-of-kin and heirs for the care, comfort, companionship, services, society, contributions, counseling, advise, love, and affection lost because of the wrongful death of 44-year-old Bradley G. Cusatis, Sr.; plaintiff seeks special damages, general damages, prejudgment interest, post-judgment interest, and costs. The amount

in controversy exceeds \$75,000.00. Therefore this court has jurisdiction pursuant to 28 U.S.C. section 1332.

3. Defendants were served with process in this matter on February 14, 2012 and have made a timely removal of the matter to the United States District Court for the District of Nebraska.

4. Contemporaneously with the filing of this removal, defendants are serving upon plaintiff's counsel a notification of removal, as well as notifying the district court of Lancaster County of the removal.

5. Also contemporaneously with the filing of this notice of removal, defendants are filing an answer to the plaintiff's complaint.

WHEREFORE, defendants remove the matter identified in paragraph 1 above to the United States District Court for the District of Nebraska.

Dated February 21, 2012.

LEO TRUCKING, INC. AND AJAIB S.
NANREH, Defendants,

By: /s/ Gerald L. Rauterkus

Jerald L. Rauterkus, #18151
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Attorneys for Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing NOTICE OF REMOVAL was served on February 21, 2012 upon:

Peter C. Wegman
Rembolt Ludtke LLP
1201 Lincoln Mall, Suite 102
Lincoln, NE 68508

by: ☐ U.S. Mail, postage prepaid
☒ Electronic filing
☐ E-mail
☐ Facsimile Transmission
☐ Hand Delivery
☐ Overnight Courier
☐ Certified Mail, Return Receipt Requested

/s/ Gerald L. Ranterkus